

APPENDIX F

24 MAY 1993

SAMPLE COVENANT NOT TO SUE
AND
INDEMNITY AGREEMENT

LOCATION: _____

DATE: _____

I, * _____, am about to participate voluntarily in various activities, including flying activities, of the _____ Flying Club as a pilot, student pilot, copilot, instructor or passenger. In consideration of the Flying Club permitting me to participate in these activities, I, for my heirs, administrators, executors, and assignees, hereby covenant and agree that I will never institute, prosecute, or in any way aid in the institution or prosecution of, any demand, claim, or suit against the U.S. Government and/or its officers, agents, or employees, acting officially or otherwise, for any loss, damage, or injury to my person (including death), or my property which may occur from any cause whatsoever as a result of participation in the flying club.

If I or my heirs, administrators, executor, and assignees should demand, claim, sue, or aid in any way in such a demand, claim, or suit, I agree to indemnify the U.S. Government for all damages, expenses, and costs it may incur as a result thereof.

I understand and agree that I am assuming the risk of any personal injury or property damage to me that may result while participating in flying club activities, including such injuries or damage that may be caused by the negligence of the U.S. Government.

I also understand and agree that I may be held liable for any damage or loss to the U.S. Government which is caused by my gross negligence, willful misconduct, or fraud.

The term "U.S. Government" as used here includes the _____ Flying Club including individual members and any officer, agent or employee of the U.S. Government/or the Flying Club, acting officially or otherwise.

DATE: _____

SIGNATURE: _____

SIGNATURE, FLYING CLUB OFFICER: _____

Appendix F
To Enclosure (1)

OPNAVINST 1710.2E

24 MAY 1993

* If a minor, so indicate and state age. The minor will sign if capable of signing. If not capable, have parent sign for the minor, i.e., "John Jones by Harry Jones, his father" and sign below.

FOR MINORS:

I/We, _____ parents of the above-said minor child do hereby: (1) consent to my child participating in the _____ Flying Club activities; (2) agree to and adopt as my own the conditions of the above agreement; and (3) agree to reimburse the U.S. Government for any damage incurred for which my child would be liable had, my child reached the age of majority.

DATE: _____

PARENT'S SIGNATURE:

(The above form is to be completed for all minors, regardless of age and regardless of whether the parent has executed the indemnity agreement form on behalf of the minor).

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Appendix F
To Enclosure(1)